

PROB 12B
(7/93)

Report Date: October 13, 2010

United States District Court

FREEMAN
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

OCT 14 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Thomas Shippentower

Case Number: 2:07CR02074-001

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen

Date of Original Sentence: 5/27/2008

Type of Supervision: Supervised Release

Original Offense: Crime on Indian Reservation-
Sexual Abuse of a Minor, 18 U.S.C. §§ 1153 and
2243(a)

Date Supervision Commenced: 3/26/2010

Original Sentence: Prison - 30 Months; TSR - 60
Months

Date Supervision Expires: 3/25/2015

PETITIONING THE COURT

To modify the conditions of supervision as follows:

29. You shall participate in the home confinement program with electronic monitoring for 90 days. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, Court appearances, Court-ordered obligations, or other activities as preapproved by the supervising officer. You shall abide by all the requirements of the program and shall pay all or part of the costs of the program based upon your ability to pay.

CAUSE

On July 2, 2010, a violation report was submitted to the Court alleging the defendant failed to report; used cocaine and marijuana; and committed new law violations. No action was recommended based on the defendant's willingness to complete a 60-day intensive inpatient treatment program at American Behavioral Health Services (ABHS) in Spokane, Washington. On August 16, 2010, the defendant successfully completed his treatment program at ABHS and returned to Yakima for follow-up treatment at Merit Resource Services (Merit).

On September 8, 2010, Mr. Shippentower reported for an office visit and admitted to consuming alcohol and using cocaine and marijuana on September 4, 2010. He indicated the reason he relapsed was because his cousin had just passed away and he was having a hard time dealing with his death. Based on his continued substance abuse he was reassessed by Merit personnel and was found to be in need of a higher level of care. On September 20, 2010, he commenced an intensive outpatient treatment program (IOP) at Merit.

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On September 27, 2010, Mr. Shippentower failed to show for his scheduled sex offender counseling session at Alliance Counseling. He also failed to attend his IOP counseling sessions at Merit on September 27, and 28, 2010. On September 29, 2010, he reported for an office visit and submitted a urinalysis test which tested presumptive positive for cocaine. Mr. Shippentower admitted to consuming alcohol and using cocaine over the weekend and related he last used on September 27, 2010. The defendant acknowledged the need for further treatment services and believed a term of home confinement with electronic monitoring would assist him in his sobriety by requiring him to remain at home and away from his drug and alcohol abusing friends and associates. On October 1, 2010, he entered a 28-day intensive inpatient treatment program at James Oldham Treatment Center in Buena, Washington. He is scheduled to complete the program on October 29, 2010, and will then be referred to Merit for aftercare services. It should also be noted Mr. Shippentower is interested in participating in the Sobriety Treatment and Education Program (STEP).

Based on the above information, this officer recommends the defendant's conditions of supervision be modified as noted above. Enclosed is a waiver signed by the defendant agreeing to the proposed modification should Your Honor concur.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/13/2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


 Signature of Judicial Officer

10/14/10
 Date